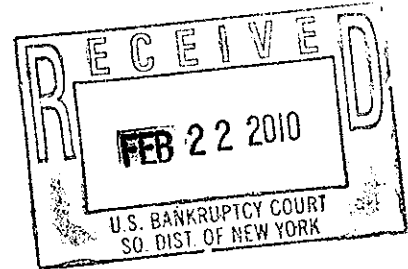


1 THE VAKULA LAW FIRM, P.C.
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2 Suite 120
Phoenix, Arizona 85028
3 (480) 905-9114

4 Nicholas E. Vakula
State Bar ID No. 009876
5 Attorneys for Plaintiff



7 IN THE UNITED STATES BANKRUPTCY COURT
8 FOR THE SOUTHERN DISTRICT OF NEW YORK

9 In Re:

10 MESA AIR GROUP, INC.

11 _____
12 JODI HARMON, a single Woman,

13 Movant,

14 v.

15 MESA AIR GROUP, INC.,

16 Debtor.
17

In Proceedings Under Chapter 11

NO. 10-10018-MG

**MOTION FOR RELIEF FROM
AUTOMATIC STAY**

18 Movant, by and through undersigned counsel, hereby moves the Court for Relief from the
19 Automatic Stay. This motion is supported by the following Memorandum of Points and Authorities.

20 **MEMORANDUM OF POINTS AND AUTHORITIES**

21 1. The filing of this motion commences a contested matter pursuant to Bankruptcy Rule
22 9014.

23 2. That on or about July 30, 2007, while riding as a passenger on an aircraft owned by
24 Mesa Air Group, Inc., Jodi Harmon suffered injuries. Debtor and/or their employees were inattentive
25 and/or otherwise negligent in causing Movant's injuries and damages.

26 3. That on June 30, 2009, counsel for Movant filed a civil lawsuit against Debtor Mesa

1 Air Group, Inc. as Maricopa County Superior Court Case Number CV2009-053303.

2 4. Upon information and belief, Mesa Air Group, Inc. filed a Notice of Filing
3 Bankruptcy, claiming to have invoked the provisions of the automatic stay.

4 5. The Automatic Stay of 11 U.S.C. §362(a) should be vacated so Movant Jodi Harmon
5 may pursue all remedies available to her under non-bankruptcy law against any and all property of
6 Mesa Air Group, Inc. and all applicable insurance policies for Mesa Air Group, Inc.

7 **WHEREFORE, MOVANT REQUESTS AN ORDER GRANTING THE FOLLOWING**
8 **RELIEF:**

9 1. The Automatic Stay under 11 U.S.C. §362(a) as well as all other applicable stays and
10 injunctions are vacated as to pending litigation in Maricopa County Superior Court as Case No.
11 CV2009-053303, as to any and all property of Mesa Air Group, Inc. and all applicable insurance
12 policies for Mesa Air Group, Inc.

13 2. Permitting Movant to pursue all remedies available to them under non-bankruptcy
14 laws against any and all property of Mesa Air Group, Inc. and all applicable insurance policies for
15 Mesa Air Group, Inc.

16 3. For such other and further relief as the Court may deem just and proper.

17 **RESPECTFULLY SUBMITTED** this 18 day of February, 2010.

18 **THE VAKULA LAW FIRM, P.C.**

19
20 By: 

Nicholas E. Vakula
11240 N. Tatum Blvd.
Suite 120
Phoenix, AZ 85028
Attorneys for Movant

21
22
23
24 ORIGINAL mailed this 18th day of February,
25 2010, to:
26

1 U.S. Bankruptcy Court
Southern District of New York
2 One Bowling Green
New York, New York 10004-1408
3

4 and copies mailed to:

5 Robert J. Feinstein, RF2836
Pachulski Stang Ziehl & Jones, LLP
780 Third Avenue
6 36th Floor
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7 Attorney for Debtor

8 Edward R. Glady, Jr.
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11 Phoenix, Arizona 85012
Attorneys for Mesa Air Group

12 By C. Reynolds
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5

6 IN THE UNITED STATES BANKRUPTCY COURT
7 FOR THE SOUTHERN DISTRICT OF NEW YORK

8 In Re:
9 MESA AIR GROUP, INC.

In Proceedings Under Chapter 11
NO. 10-10018-MG

10
11 _____
12 JODI HARMON, a single Woman,
13 Movant,
14 v.
15 MESA AIR GROUP, INC.,
16 Debtor.

**ORDER TO LIFT AUTOMATIC
STAY**

17 Movant Jodi Harmon, having filed a Motion for Relief from Automatic Stay, and the Court
18 having found good cause to grant said motion, therefore;

19 **IT IS ORDERED THAT:**

20 1. The Automatic Stay under 11 U.S.C. §362(a) as well as all other applicable stays and
21 injunctions are vacated as to pending litigation in Maricopa County Superior Court as Case No.
22 CV2009-053303 as to any and all property of Mesa Air Group, Inc. and all applicable insurance
23 policies for Mesa Air Group, Inc.

24 2. Permitting Movant to pursue all remedies available to them under non-bankruptcy
25 laws against any and all property of Mesa Air Group, Inc. and all applicable insurance policies for
26 Mesa Air Group, Inc.

1 3. For such other and further relief as the Court may deem just and proper.

2 DATED: _____

3

4

JUDGE OF THE BANKRUPTCY COURT

5

6 ORIGINAL file with the Court and
7 copy mailed this ____ day of February,
2010, to:

8 Nicholas E. Vakula
9 THE VAKULA LAW FIRM
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18 Attorneys for Mesa Air Group

19 By _____

20

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